

**FEDERAL COURT- AUTHORIZED NOTICE OF YOUR RIGHT TO “OPT-IN” TO
CLAIMS BROUGHT UNDER THE FAIR LABOR STANDARDS ACT (FLSA)
AGAINST RICK’S CABARET IN NEW YORK, NEW YORK**

PEREGRINE ENTERPRISES, INC. dba RICK’S CABARET NEW YORK, a New York Corporation; RCI ENTERTAINMENT (NEW YORK) INC., a New York Corporation; RCI HOSPITALITY HOLDINGS, INC., a Texas Corporation; RCI MANAGEMENT SERVICES, a Texas Corporation; ERIC LANGAN, an individual; ED ANAKAR, an individual; DOE MANAGERS 1 through 3; and DOES 4 through 10, inclusive

U.S. Dist. Ct., Southern District of New York, Case No.: 1:22-cv-01455-KPF

[DATE]

Dear [current or former dancer at **RICK’S CABARET**]:

Enclosed is a consent form allowing you to “opt-in” to participate in a case that has been filed on behalf of dancers at Rick’s Cabaret in New York, New York. This case has been brought on behalf of anyone who has worked as a dancer at Rick’s Cabaret in the last three years. **This is a court-authorized notice.**

According to Rick’s Cabaret records, you may be eligible to participate in this case because you have worked as a dancer at Rick’s Cabaret in New York, New York during the last three years. In order to participate in the federal claims raised in this case, and obtain a portion of any judgment or settlement that may be entered on these claims in the dancers’ favor, you must complete and return this consent form to the address below by **no later than [DATE], 2023.**

In this lawsuit, the plaintiff alleges that Rick’s Cabaret, et al. violated the federal Fair Labor Standards Act (“FLSA”), 29 U.S.C. § 201 et seq., because they misclassified dancers as independent contractors instead of employees, and as a result, have not paid dancers an hourly wage, while also requiring dancers to pay improper “house” fees to the club and requiring dancers to share their tips with employees who are not eligible to share in service employees’ tips.

Rick’s Cabaret denies that it has violated the FLSA. They contend that dancers are properly classified as independent contractors rather than employees and need not be paid hourly wages under the FLSA, and that fees paid to the Club are lawful.

Although Rick’s Cabaret disputes the merits of this case, they recognize their dancers’ right to pursue these claims in court. Rick’s Cabaret has given its assurances that you will not be subject to retaliation of any kind by choosing to participate in this case, and you will not be discharged or subject to discrimination in any manner if you chose to exercise your rights under the FLSA.

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The case is in an early stage, and there has not been a decision by the court as to whether the dancers’ position or Rick’s Cabaret’s position is the correct one. There has also not been any settlement reached. If you do not return the enclosed consent form by **[DATE], 2023**, you may not be considered part of this case and may not be able to receive a share of any settlement or judgment that the plaintiffs may obtain under the federal claims in this case. If you do participate in the case, you will be bound by any ruling entered by the court or settlement reached by the parties.

The plaintiffs who initiated this case will work with us to make decisions regarding the progress of litigation, and we welcome your input as well into those decisions. You may also be asked to be a witness or to provide evidence in the case, although not all employees who submit a consent form will be required to do so.

Again, to join this case, you must return the enclosed “opt-in” consent form to the address below no later than [DATE], 2023. In the meantime, if you have any questions, do not hesitate to contact us at the phone number or e-mails provided below:

John P. Kristensen
Frank M. Mihalic, Jr.
Peter Cho
CARPENTER & ZUCKERMAN
8827 W. Olympic Boulevard
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kristensen@cz.law
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****Text or Call: (305) 916-0171**

This notice has been authorized by the United States District Court. Please do not contact the court; you may contact the counsel listed above with any questions you have.

Yours truly,

John P. Kristensen,
Frank M. Mihalic, Jr. and
Peter Cho

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